

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7721

BILL NUMBER: HB 1433

NOTE PREPARED: Jan 6, 2005

BILL AMENDED:

SUBJECT: Arrest for Driver's License Violations.

FIRST AUTHOR: Rep. Hinkle

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill requires a law enforcement officer to arrest a person who violates the law that requires a person to possess a permit or license when operating a motor vehicle if the: (1) violation is coupled with an accident; and (2) person does not possess any other valid identification. It requires the person to be immediately taken before a court that: (1) is within the county in which the violation is alleged to have been committed; (2) has jurisdiction of the violation; and (3) is nearest or most accessible to the place where the arrest is made.

Effective Date: July 1, 2005.

Explanation of State Expenditures: Law enforcement officers now may spend additional time taking offenders to court, whereas currently, the offenders either (1) are issued a citation and required to appear in court at a later date, in the case of an Indiana resident, or (2) pay the fine when the citation is issued, in the case of a nonresident.

Also, depending upon the time of the arrest and the location, particularly in rural counties, and the availability of a judge and court, there may be jail time served.

For the 12-month period ending September 30, 2004, there were 10,145 people found guilty of not possessing a valid drivers' license, with an additional 3,374 who never possessed a valid drivers' license. However, data are not available on the number of the above cases which involved an accident or where the individual did not possess any other valid form of identification.

Explanation of State Revenues:

Explanation of Local Expenditures: See *Explanation of State Expenditures*.

Explanation of Local Revenues:

State Agencies Affected: State Police; Conservation and Excise Officers.

Local Agencies Affected: Local law enforcement personnel.

Information Sources: Bureau of Motor Vehicles Suspensions and Citations Report, page one.

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